

Guardrails for AI-Powered Educational Tools in K-12 Schools

Model Policy | February 2026

Section 1. Purpose

The purpose of this Act is to establish clear guardrails for Artificial Intelligence (AI) tools that directly interact with students in K-12 instructional settings.

Section 2. Definitions

1. As used in this section, these terms have the following meanings:

- a. “Algorithmic Impact Assessment (AIA)” means a documented evaluation of an AI system’s purpose, data sources, accuracy, fairness, bias testing and human-oversight measures.
- b. “Artificial Intelligence (AI)” refers to programs or machines that simulate tasks requiring human intelligence, such as making predictions, providing recommendations or making decisions.
- c. “Department” is the state Department of Education, or its designee, which is charged with establishing and overseeing the regulations, guidance and procedures related to this Act.
- d. “Generative AI-Powered Educational Tool” is an Artificial Intelligence-enabled digital tool or software that utilizes Large Language Models or other Generative Artificial Intelligence to directly deliver instruction to students. This does not include:
 - i. Learning and classroom management systems
 - ii. Student monitoring systems
 - iii. Platforms used exclusively by educators for lesson planning or instructional preparation
 - iv. Software that is not designed to provide direct instruction, tutoring or instructional feedback to students
 - v. Assessments or assessment delivery platforms that do not generate instructional content
- e. “Generative Artificial Intelligence (AI)” means artificial intelligence that can create synthetic content, including text, images, video and audio, based on its training data.
- f. “Large Language Models (LLMs)” are models specialized for tasks like natural language processing, text generation and translation.
- g. “Operator” means an individual, organization, business or entity that provides an AI-Powered Educational Tool.
- h. “Personally Identifiable Information (PII)” is information that can be used to distinguish or trace an individual’s identity.
- i. “Student” means an individual under the age of 18 who interacts with an AI-Powered Educational Tool.

Sections 3, 4 and 5 establish minimum requirements for the procurement, approval and continued use of AI-Powered Educational Tools by school districts and schools.

Section 3. Data Privacy and Security

1. AI-Powered Educational Tools shall comply with all applicable state and federal privacy and security laws. This includes, but is not limited to:
 - a. Children’s Internet Protection Act (CIPA)
 - b. Children’s Online Privacy Protection Act (COPPA)
 - c. Family Educational Rights and Privacy Act (FERPA)
2. Operators shall maintain SOC 2 certification or equivalent evidence of data protection.
3. Operators may provide documented alignment with ISO/IEC 42001 to show additional evidence of AI risk management practices.
4. AI-Powered Educational Tools shall collect, access, store and process only the minimum data necessary to perform their intended instructional function.
5. Operators shall not use Personally Identifiable Information to train, improve or develop AI models. This includes, but is not limited to:
 - a. Direct identifiers such as a student’s name, identification number or Social Security Number.
 - b. Indirect identifiers that can be combined to identify a student such as a combination of gender, birth date and geographic indicator.
6. Operators may collect and use de-identified student data for research, testing or model improvement, provided that such use is approved by the district and fully complies with all applicable federal and state privacy laws.

Section 4. Operator Requirements

1. Operators of an AI-Powered Educational Tool that includes chatbot or other conversational features shall maintain transparent and auditable records of all Student interactions conducted through such features.
 - a. Records shall be retained for [X amount of time] or at the end of a contract or service.
 - b. Records shall be accessible to authorized district and school personnel and, upon request, to parents or guardians.
2. Operators shall maintain a transparent system for the ongoing evaluation of AI-generated outputs. At minimum, this system shall include:
 - a. Defined metrics for monitoring accuracy, bias and error rates.
 - b. Reporting of material safety or privacy incidents to the state and affected district within 72 hours of discovery.
 - c. Regular testing and evaluation of moderation systems for effectiveness and accuracy.
 - d. Annual summaries of evaluation results and corrective actions, made available to authorized district and school personnel and subject to state review.
 - e. Completion of an Algorithmic Impact Assessment prior to deployment and updated annually.

Section 5. Evaluation of AI-Powered Educational Tools

1. Operators shall provide clear documentation describing how the AI-Powered Educational Tool supports self-paced learning, provides instructional scaffolding and promotes purposeful engagement rather than addictive use. This shall include, but is not limited to:
 - a. Safeguards that prohibit manipulative engagement practices intended to promote excessive or compulsive use.
 - b. Safeguards that limit unnecessarily human-like behaviors, ensuring the AI-Powered Educational Tools does not engage in personal or emotional relationships with students.
 - c. Design features that limit the completion of assignments, generation of answers or performance on behalf of students.
 - d. Configuration options that allow teachers to enable, disable or limit AI functionality for specific assignments, except where such AI functionality is necessary for the validity of a standardized assessment.
 - e. Moderation mechanisms that detect unsafe interactions, redirect students to instructional activities, block access to inappropriate or non-educational content and notify teachers of repeated violations.
 - f. Systems to ensure outputs are presented in an age-appropriate manner.

Section 6. Educational Efficacy

This section is intentionally left blank.

Section 7. Department Responsibilities

1. The Department shall establish and maintain an evaluation framework that provides criteria and guiding considerations for assessing AI-Powered Educational Tools. At minimum, this shall address:
 - a. Student data privacy, security and transparency
 - b. Instructional alignment
 - c. Accessibility
2. The Department shall review and update the evaluation framework at least every two years and may update guidance or evaluation criteria to reflect changes in technology, evidence or educational practice.
3. The Department shall publish a publicly available and updated list of AI-Powered Educational Tools that have been reviewed under this framework.
4. The Department may establish procurement guidance, qualified vendor lists or other mechanisms to support and incentivize the adoption of AI-Powered Educational Tools that have been reviewed under the evaluation framework.
5. The Department shall regularly collect, update and publish information on which AI-Powered Educational Tools are used in schools.
6. The Department shall provide ongoing training, guidance and technical assistance to support school districts and schools in the responsible selection, implementation and use of AI-Powered Educational Tools. This may include, but is not limited to:
 - a. Professional development
 - b. Guidance documents
 - c. Model policies
7. The Department shall review the implementation and effectiveness of this Act every [X amount of time] and make recommendations to the Legislature.

Section 8. School District Responsibilities

1. School districts shall notify students and families in plain language whenever AI-Powered Educational Tools are used for instruction. At minimum, this shall include: :
 - a. A description of the AI-Powered Educational Tool’s instructional purpose.

Section 9. Effective Date

This Act shall take effect upon becoming a law.